

1103326-0072**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Lindberg et al.  
Serial No. : 09/690,044  
Filed : October 16, 2000  
For : NEW COMPOUNDS  
Examiner : J. Fan  
Group Art Unit : 1625

**CERTIFICATE OF TRANSMISSION  
UNDER 37 C.F.R. §1.8**

I hereby certify that this paper is being facsimile transmitted  
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John M. Genova32,224

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Commissioner for Patents  
Washington, D.C. 20231

Attention: Examiner Jan Fan  
Facsimile No.: 703-746-5144  
Date: September 22, 2003  
Pages: 3

**TERMINAL DISCLAIMER**

Sir:

AstraZeneca, a corporation created and existing under the laws of Sweden, and  
having a business address at S-151 85 Södertälje, Sweden, hereby through its undersigned agent,  
who is empowered to act on behalf of AstraZeneca, represents that AstraZeneca is the owner of  
the entire right, title and interest of the above-identified patent application Serial No. 09/690,044

by Assignment recorded on January 23, 1995 at Reel 7438, Frame 0120. The originally recorded assignment is in the name of Astra Aktiebolag. A change of corporate name from Astra Aktiebolag to AstraZeneca was recorded on September 25, 2000 at Reel 011219, Frame 0749.

The undersigned agent also represents that AstraZeneca is the owner of the entire right, title and interest of US 6,369,085 by Assignment recorded on June 8, 1998 at Reel 010098, Frame 0174. The originally recorded assignment is in the name of Astra Aktiebolag. A change of corporate name from Astra Aktiebolag to AstraZeneca was recorded on February 25, 2002 at Reel 012647, Frame 0602.

AstraZeneca, by its undersigned agent, states that all evidentiary documents have been reviewed and certifies that, to the best of its knowledge and belief, title to Application Serial No. 09/690,044 and US 6,369,085 is in AstraZeneca. The inventions claimed in Application Serial No. 09/690,044 and US 6,369,085 were commonly owned by Astra Aktiebolag, now AstraZeneca at the time the later invention was made.

AstraZeneca hereby disclaims, except as provided below, the terminal portion of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of US 6,369,085, as presently shortened by any terminal disclaimer. AstraZeneca hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period it and US 6,369,085 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§154 to 156 and 173 of US 6,369,085, as presently

shortened by terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization is hereby given to charge Deposit Account No. 23-1703 in the amount of One Hundred and Ten Dollars (\$110.00) to cover the fee as required by 37 C.F.R. §1.20(d) and for any other fee that may be required in connection with this communication.

Dated: September 22, 2003

Respectfully submitted,



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